GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1094
ANSWERED ON:07.03.2002
LEGAL SERVICE AUTHORITY ACT, 1987
CHANDRA NATH SINGH

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the financial assistance provided by the Government to the States including National Capital of Delhi under section 12 of the Legal Service Authority Act, 1987 during each of the last three years;

(b) the number of persons given free legal aid/assistance from legal aid fund during the said period, State-wise;

(c) the criteria laid down for providing legal aid by the Government and the legal aid fund authority; and

(d) the number of applications received for free aid during the said period, State-wise and the number of applications approved and rejected out of them and the reasons for rejecting applications during the said period ?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) No financial assistance is provided directly to the State Governments under any provision of the Legal Services Authorities Act, 1987. However, grants-in-aid is released by the National Legal Services Authority to the State Legal Services Authorities, including the Delhi Legal Services Authority for providing legal assistance to the entitled applicants.A statement indicating the details of the said disbursement of funds is annexed.

(b) A statement is annexed.

(c) Section 12 of the Legal Services Authorities Act, 1987 prescribes the criteria for giving legal services.Following persons are entitled to legal aid/legal services:-

(a) a member of a Scheduled Caste or Scheduled Tribes;

(b) a victim of trafficking in human being or beggar as referred to in Article 23 of the Constitution;

(c) a woman or a child;

(d) a mentally ill or otherwise disabled person;

(e) a person under circumstances of undeserved want such as being a victim of a mass disaster, ethnic violence, caste atrocity; flood, drought, earthquake or industrial disaster; or

(f) an industrial workman; or

(g) in custody, including custody in a protective home within the meaning of clause (g) of section 2 of the Immoral Traffic (Prevention) Act, 1956 or in a juvenile home within the meaning of clause (j) of section 2 of the Juvenile Justice Act, 1986 in a psychiatric hospital or psychiatric nursing home within the meaning of clause (g) of section 2 of the Mental Health Act, 1987, or

(h) in receipt of annual income less than rupees nine thousand or such other higher amount as may be prescribed by the State Government, if the case is before a court other than the Supreme Court, and less than rupees twelve thousand or such other higher amount as may be prescribed by the Central Government, if the case is before the Supreme Court.The aforesaid limitation as to income does not apply in the case of persons belonging to SCs/STs, women, children and handicapped etc. In pursuance of the decision taken at the Annual Meet of the State Legal Services Authorities held under the aegis of National Legal Services Authority on 12.9.1998, the minimum income ceiling limit for cases before High Courts and Courts subordinate thereto was required to be increased to Rs.25,000/-p.a. A few States viz. Andhra Pradesh, Bihar, Delhi, Haryana, Himachal Pradesh, Kerala, Maharashtra, Manipur, Meghalaya, Mizoram, Orissa, Rajasthan, Sikkim, Tamilnadu, Uttar Pradesh and UT of Chandigarh have enhanced the ceiling from Rs.12,000/- to Rs.25,000/- for cases before their respective High Courts and Courts subordinate thereto.In Punjab the limit has been enhanced to Rs.30,000/-. In Gujarat, however, the limit is Rs.50,000/-. The matter of revision of the ceiling is under process in most of the other States. In cases before the Supreme Court, the limit, as at present, is Rs.50,000/-p.a.

(d) The requisite information with respect to beneficiaries of legal aid during the last three years has been given in reply to part (b) above. The total number of applicants in respect of each state is given therein. Subject to entitlement to legal services under the Act, no person was denied legal aid/assistance.

Statement in reply to part (b) of the Lok Sabha Unstarred Question 1094 for 7.3.2002.

STATEMENT SHOWING NUMBER OF PERSONS BENEFITTED THROUGH COURT ORIENTED PROGRAMMES FOR TH
THREE YEARS VIZ., 1998, 1999 & 2000

(Based on the information provided by the State Legal Services Authorities).

S.No.	Name of State/U.T	No. of persons benefited during the year 1998	1999	2000	GRAND TOTAL (Col. Nos. 3 to 5)
1.	Andhra Pradesh	1,623	1,584	1,268	4,475
2.	Arunachal Pradesh		50		50
3.	Assam	-	-		
4.	Bihar	1,680	1,457	558	3,695
5.	Goa		93		93
6.	Gujarat	1,393	2,306	2,252	5,951
7	Haryana		332	1,054	1,519	2,905
8.	Himachal Pradesh		178	303	232	713
9.	Jammu &Kashmir		371	935	1,563	2,869
10.	Karnataka	1,050	1,778	1,814	4,642
11.	Kerala		717	701	604	2,022
12.	Madhya Pradesh	26,298	31,738	33,722	91,758
13.	Maharashtra	5,204	4,873	3,258	13,335
14.	Manipur		2		2
15.	Meghalaya	-	-		
16.	Mizoram	1,376	926	1,942	4,244
17.	Nagaland		1,610	1,262	2,872
18.	Orissa	1,023	1,923	1,610	4,556
19.	Punjab	1,591		1,824	1,707	5,122
20.	Rajasthan	1,999		2,465	2,747	7,211
21.	Sikkim		4	46	247	297
22.	Tamil Nadu	39,705	43,823	70,080	1,53,608
		84,544	99,398	1,26,478	3,10,420
23.	Tripura		23		18	45	86
24.	Uttar Pradesh	2,217	4,54,617	4,47,204	9,04,038
25.	West Bengal	2,600	1,700	1,544	5,844
26.	A & Nicobar Island		29		103	229	361
27.	U.T. Chandigarh		258	685	1,031	1,974
28.	Dadra & Nagar Havali	-			3	5	8
29.	Daman & Diu						
30.	Delhi	4,855	4,421	3,970	13,246
31.	Lakshadweep	-	-	-	-
32.	Pondicherry		928	802	1,121	2,851
33.	Supreme Court Legal Services Committee		343	603	345	1,291
	TOTAL	95,797	5,62,350	5,81,972	12,40,119

Statement in reply to part (a) of Lok Sabha Unstarred Question No. 1094 for 7.3.2002.

DETAILS OF DISBURSEMENT OF FUNDS TO STATE LEGAL SERVICES AUTHORITIES AND SUPREME COURT LEGAL SERVICES COMMITTEE DURING THE LAST THREE FINANCIAL YEARS.

S.No.	Name of the State/UT	1998-99	1999-2000	2000-2001
1.	Andhra Pradesh	5,00,000	23,00,000	
2.	Arunachal Pradesh	3,00,000	2,00,000	
3.	Assam	3,00,000	2,00,000	10,00,000
4.	Bihar	3,00,000	2,00,000	
5.	Goa	5,00,000	2,00,000	
6.	Gujarat	14,00,000	13,50,000	59,50,000
7	Haryana	13,00,000	2,00,000	35,00,000
8.	Himachal Pradesh	3,00,000	9.50,000	
9.	Jammu & Kashmir	11,00,000	20,50,000	9,50,000
10.	Karnataka	18,00,000	2,00,000	
11.	Kerala	9,00,000	17,00,000	35,50,000
12.	Madhya Pradesh	9,00,000	22,00,000	20,00,000
13.	Maharashtra	3,00,000	2,00,000	
14.	Manipur	13,00,000	2,00,000	
15.	Meghalaya	3,00,000	2,00,000	
16.	Mizoram	13,00,000	2,00,000	8,00,000
17.	Nagaland	3,00,000	10,00,000	
18.	Orissa	3,00,000	2,00,000	17,30,000
19.	Punjab	8,00,000	12,00,000	50,00,000
20.	Rajasthan	7,50,000	2,00,000	40,55,000
21.	Sikkim	3,00,000	2,00,000	
22.	Tamil Nadu	7,00,000	2,00,000	
23.	Tripura	3,00,000	2,00,000	
24.	Uttar Pradesh	18,50,000	17,00,000	15,10,000
25.	West Bengal	13,25,000	38,00,000	5,10,000
26.	A & Nicobar Island	3,00,000	2,00,000	
27.	Chandigarh	12,14,000	15,00,000	
28.	Dadra & Nagar Haveli	3,00,000	2,00,000	
29.	Daman & Diu	3,00,000	2,00,000	
30.	Delhi	3,00,000	2,00,000	
31.	Lakshadweep	3,00,000	2,00,000	
32.	Pondicherry	4,50,000	2,00,000	10,00,000
33.	Supreme Court Legal Services Committee	20,00,000	15,00,000	17,00,000
	Total	2,45,89,000	2,54,50,000	3,32,55,000